

OF THE STATE OF CALIFORNIA

Application of the California High-Speed Rail Authority to construct proposed high-speed tracks (HST) and rail-rail grade separation (135S-280.4-T) over BNSF's existing main line track (MP 911.5) at Wasco Ave in Kern County, California.

Application No.	

APPLICATION

The California High-Speed Rail Authority (CHSRA or "Applicant") hereby respectfully requests authority from the California Public Utilities Commission (CPUC or Commission) to construct proposed tracks and one rail-rail grade separation crossing in Kern County, as part of the proposed California High-Speed Train System (CHSTS).

In support of this application, the Applicant in the State of California respectfully shows:

- 1. The Applicant's exact legal name is California High-Speed Rail Authority and CHSRA is a public agency formed pursuant to the California High-Speed Rail Act (California Public Utilities Code § 185000 et seq.).
- 2. The Applicant's principal place of business is California High-Speed Rail Authority, 770 L Street, Suite 620; Sacramento, CA 95814. The main telephone number is (916) 324-1541.

- 3. All correspondence, communication, notices, orders and other papers relative to this application should be addressed to: Bruce Armistead, Director of Operations and Maintenance, 770 L Street, Sacramento, CA 95814, Bruce.Armistead@hsr.ca.gov, 916-330-5663. Mr. Armistead is an employee of CHSRA and the Applicant's authorized agent.
- 4. That this application is hereby made pursuant to the Provisions of Sections 1201-1205, inclusive, of the Public Utilities Code of the State of California and in accordance with Rule 3.10 of the Commission's Rules of Practice and Procedure.
- 5. The Applicant, in cooperation with BNSF, and Kern County, hereby requests permission to construct two CHSTS main line tracks on the Wasco Viaduct structure over the BNSF tracks. The proposed crossing is in proximity to the Wasco Ave and Jackson Ave crossing. The viaduct is an aerial structure that will carry the proposed CHSTS tracks over the BNSF tracks at MP 911.5 and Wasco Ave. Concrete girders will support the viaduct along its alignment that will clear span the entire BNSF right-of-way. The columns supporting the girders are situated outside of the BNSF right-of-way. The viaduct's columns are all designed to meet the AREMA heavy construction standards.

The existing BNSF tracks will remain in place and BNSF operations will be maintained. No BNSF shoofly will be required to facilitate the construction of the viaduct or CHSTS tracks. Girder placement over the BNSF tracks will only be performed under absolute windows where no trains operate on the tracks for a specified period of time. Construction activities that have potential to foul the tracks will occur under the protection of a Form B.

The proposed crossing will result in the permanent closure of Wasco Ave between Jackson Ave and Kimberlina Road. The permanent closure will take affect once the construction of the structure foundation along Wasco Ave begin. Vehicular traffic can still use Jackson Ave and Poplar Ave if they intend to access Kimberlina Road from Wasco Ave and vice versa.

The intersection of Jackson Ave and Wasco Ave, and the intersection of Poplar Ave and Kimberlina Rd will be improved to accommodate truck turning movements. Both Poplar Ave and Jackson Ave will be widened by two feet to increase the width of the travel lanes to twelve-feet.

The Authority, at the request of BNSF, has prepared a study that evaluated BNSF proposed access condition due to the CHSTS corridor, and prepared an access road improvement plan. BNSF has reviewed the access study and access road improvement plan, and BNSF is in consensus with the proposed access road plan.

- 6. **Exhibit A** attached hereto, shows the vicinity map for the proposed crossing.
- 7. The legal description for the location of the proposed CHSTS underpass crossing, pursuant to Rule 3.10(a) of the Commission's Rules of Practice and Procedure, is provided in **Exhibit B**, attached hereto and made a part hereof.
- 8. The crossing identification numbers of the nearest existing public crossings on each side of the proposed crossing are as follows:
 - a. The nearest crossing to the west is at Poso Ave (CPUC No. 002-912.5, FDOT No. 028300V) and the nearest crossing to the south is at Kimberlina Road (CPUC No. 002-910.40, FDOT No 028397U).
- 9. The project design drawings showing the proposed horizontal alignment and profile for the CHSTS Tracks in relation to the existing tracks and local features, typical cross sections and BNSF access plan exhibit, pursuant to Rules 3.10, are provided in **Exhibit C**, attached hereto and made a part hereof.
 - a. As shown on the design drawings, the minimum permanent and temporary clearances meet or exceed the clearances required by General Order 26-D. No temporary clearance exceptions are requested.
- 10.In support of the proposed Wasco Viaduct and CHSTS tracks over the BNSF tracks and Wasco Ave, letters of support from BNSF, and Kern County are provided in **Exhibit D**.
- 11. Attached hereto as **Exhibit E** is the Scoping Memo for this application.

- 12. The CHSRA, as the lead agency under the provisions of the California Environmental Quality Act (CEQA), prepared the Final Environmental Impact Report/ Environmental Impact Statement (Final EIR/EIS) for the Fresno to Bakersfield Section of the California High-Speed Train Project. The Federal Railroad Administration (FRA) was the lead agency under the National Environmental Policy Act (NEPA). The Notice of Determination (NOD) for the Final EIR/EIS was certified on May 07, 2014 (State Clearinghouse No. 2009091126), and the Record of Decision (ROD) was dated on June 27, 2014. The Final EIR/EIS for the Fresno to Bakersfield Section of the California High-Speed Train Project was provided to the Commission (Rule 2.4) on archival and standard CD-ROM/DVD as Exhibit D to Application A. 17-05-014. The Final EIR/EIS is made a part hereof by reference. A Notice of Availability (NOA) for the Final EIR/EIS and Certificate of Service is filed in support of this application. Attached hereto as Exhibit F is the NOD of the final EIR/EIS for this application.
- 13. Attached hereto as **Exhibit G** are the plan drawings CHSTS corridor fencing within the limit of the proposed crossing and Wasco Ave roadway demolition as requested by the CPUC.
- 14. Attached hereto as **Exhibit H** is the proposed access plan for a private owner that owns a parcel of land between Wasco Ave and Kimberlina Road as requested by the CPUC.
- 15. Attached hereto as **Exhibit I** is the Certificate of Service for this application.

WHEREFORE, the Applicant respectfully requests:

- That the Public Utilities Commission of the State of California forthwith issues an order authorizing construction of the rail-rail grade separations of CHSTS at Wasco Ave over the BNSF tracks (MP 911.5) and CHSTS tracks pursuant to the provisions of Sections 1201-1205, inclusive, of California Public Utilities Code.
- 2. That order shall allow at least thirty-six months from the date of any such order to complete the project herein proposed.

Dated this 21 day of AUGUST ____, 2019 at Sacramento, California.

Bruce Armistead

Director of Operations and Maintenance California High-Speed Rail Authority

770 L Street

Sacramento, CA 95814

Verification

I am an officer of the California High-Speed Rail Authority, Applicant herein, and am authorized to make this verification on its behalf. The contents of this document are true of my own knowledge, except as to matters stated on information or belief, and that as to those matters, I believe them to be true.

Dated this 21st day of AKUST, 2019 at Sacramento, California.

Bruce Armistead

Director of Operations and Maintenance California High-Speed Rail Authority

770 L Street

Sacramento, CA 95814

Exhibit A

Vicinity Maps

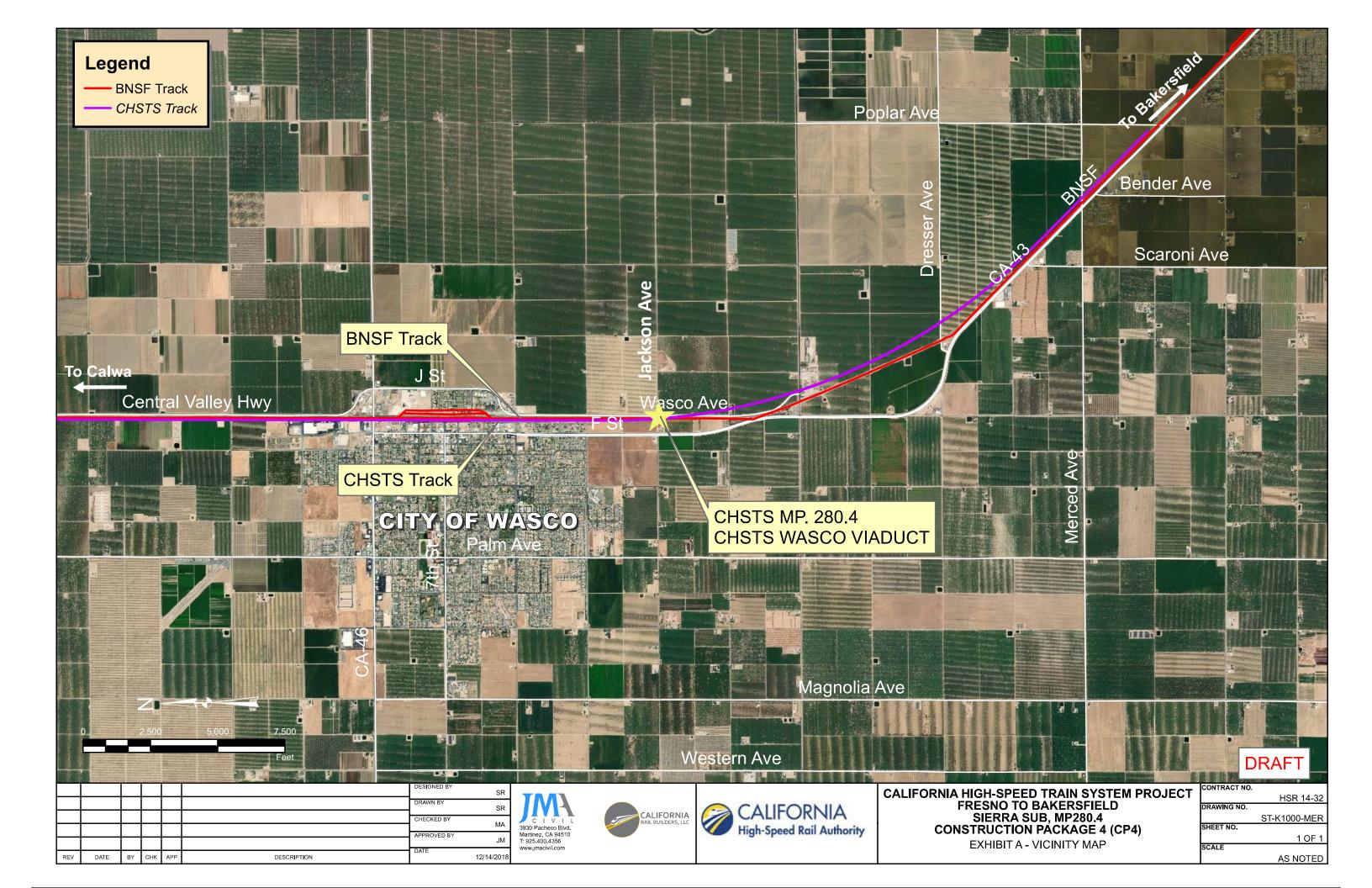


Exhibit B

Legal Descriptions

EXHIBIT "A" LEGAL DESCRIPTION

County of Kern Proposed Wasco Avenue Easement

Being a portion of the northwest quarter of Section 19, Township 27 South, Range 25 East, Mount Diablo Meridian, and the northeast quarter of Section 24, Township 27 South, Range 24 East, Mount Diablo Meridian, situate in the County of Kern, State of California, and is described as follows:

COMMENCING at a Cotton Spindle, marking the northwest corner of said Section 19, as shown on the Record of Survey filed in Book 26, of Surveys, at Page 30, Kern County Records; thence along the north line of said northwest quarter, South 89°31'53" East, 30.00 feet; thence leaving said north line, along a line 30.00 feet easterly of and parallel with the west line of said Section 19, South 01°12'31" West, 30.00 feet to the intersection of the southerly right of way of Jackson Avenue (60.00 feet wide, measured at right angles) with the easterly right of way of Wasco Avenue (60.00 feet wide, measured at right angles); thence along said parallel line, being said easterly right of way, South 01°12'31" West, 1253.30 feet to the POINT OF BEGINNING; thence continuing along said easterly right of way, South 01°12'31" West, 376.91 feet to the beginning of a non-tangent curve, concave northeasterly, to which point a radial line bears South 82°37'14" West; thence leaving said easterly right of way, northwesterly along said curve having a radius of 22033.25 feet, through a central angle of 01°05'45", an arc length of 421.41 feet to a point on the easterly right of way of the Burlington Northern and Santa Fe Railroad, as shown on the Map of the Fourth Home Extension Colony, filed in Book 1, or Minutes, at Page 99, Records of Kern County; thence along said easterly right of way, North 01°12'31" East, 412.66 feet to the beginning of a non-tangent curve, concave northeasterly, to which point a radial line bears South 84°46'59" West; thence southeasterly along said curve having a radius of 21983.25 feet, through a central angle of 01°11'27", an arc length of 456.86 feet; thence along a non-tangent line, North 83°35'40" East, 3.12 feet to the POINT OF BEGINNING.

Bearings and distances are based on the California Coordinate System of 1983, Zone 5, as shown on Record of Survey No. 3250, Book 27, Pages 186-187, Kern County Records. Distances are U.S. Survey Feet. Divide grid distances shown hereinabove by 1.000020 to obtain ground level distances.

END DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.

Professional Land Surveyor

California No. 9070

4/16/18 Date

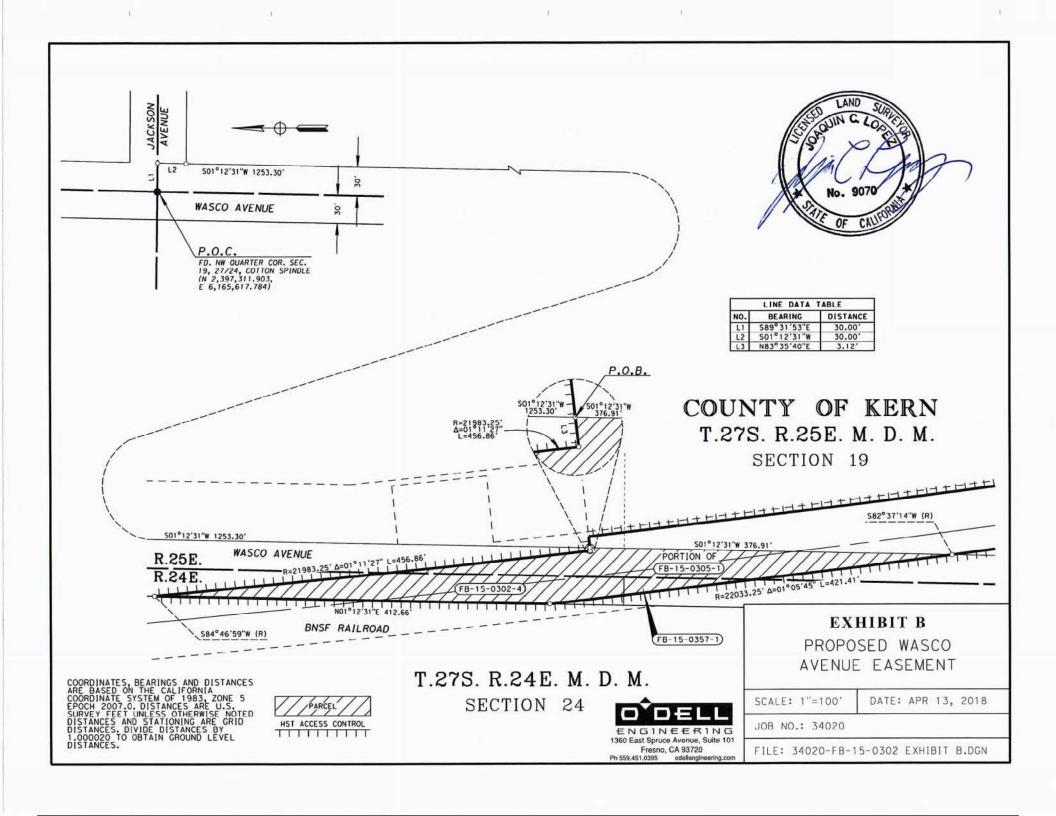
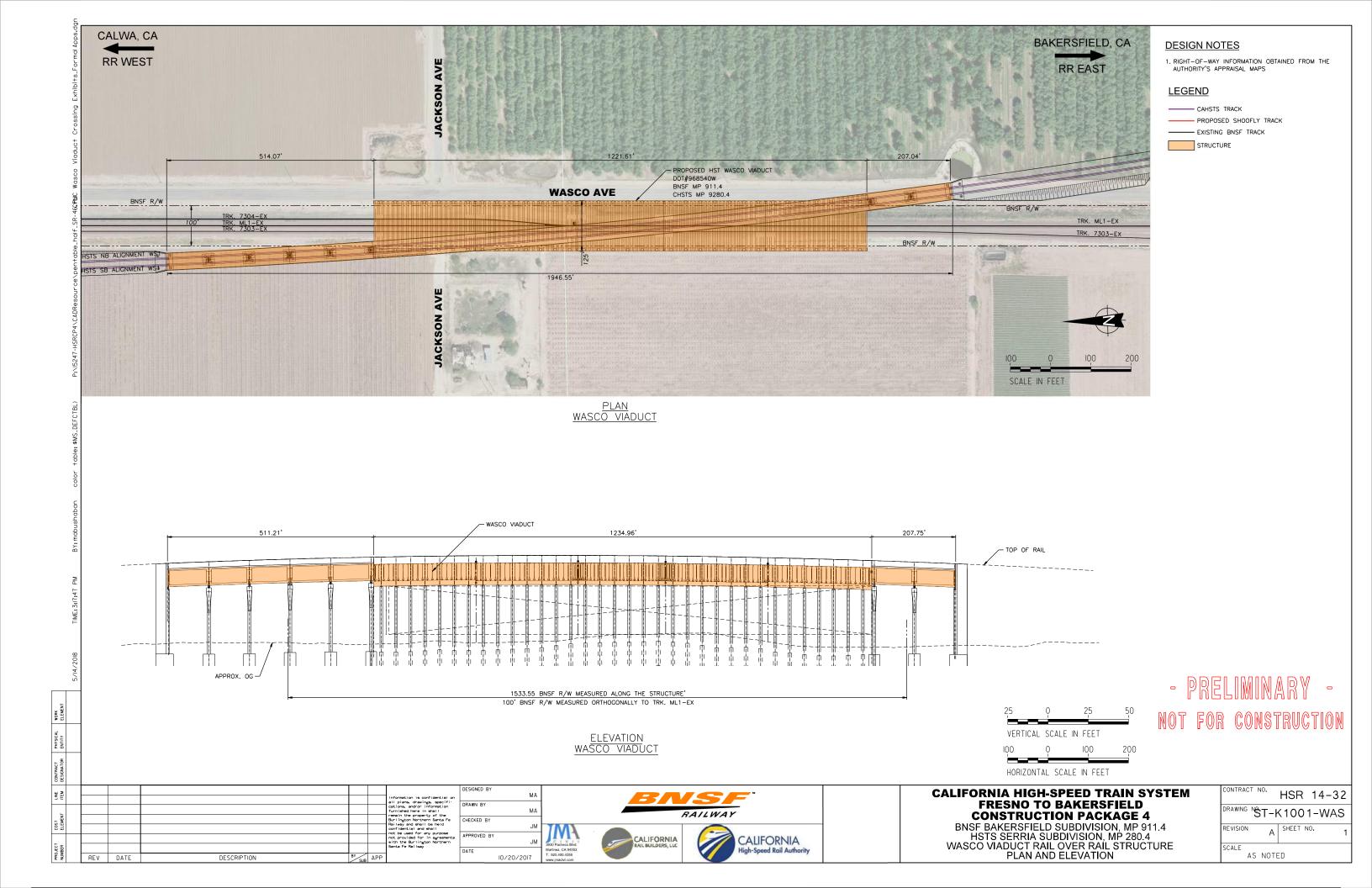
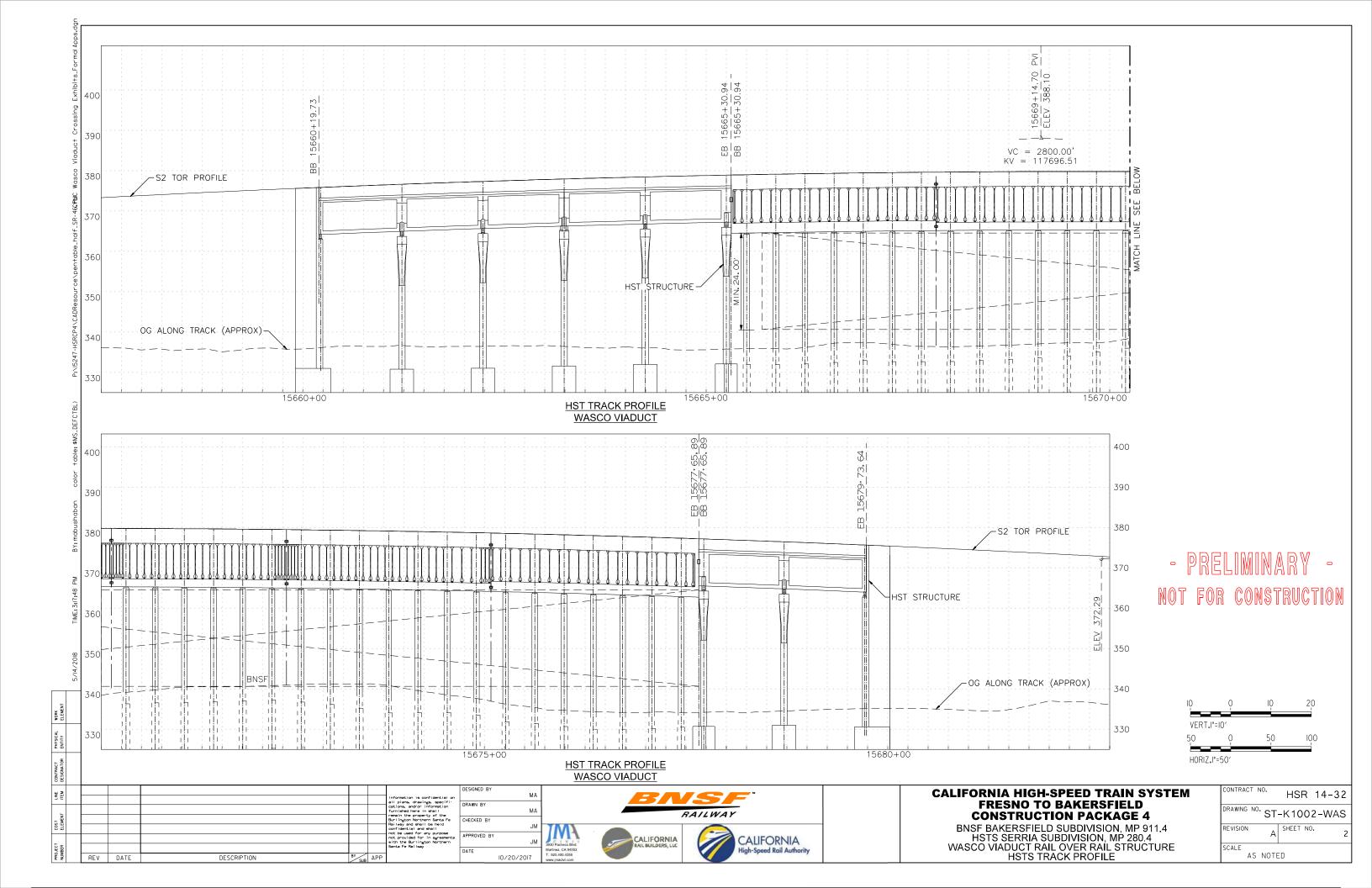
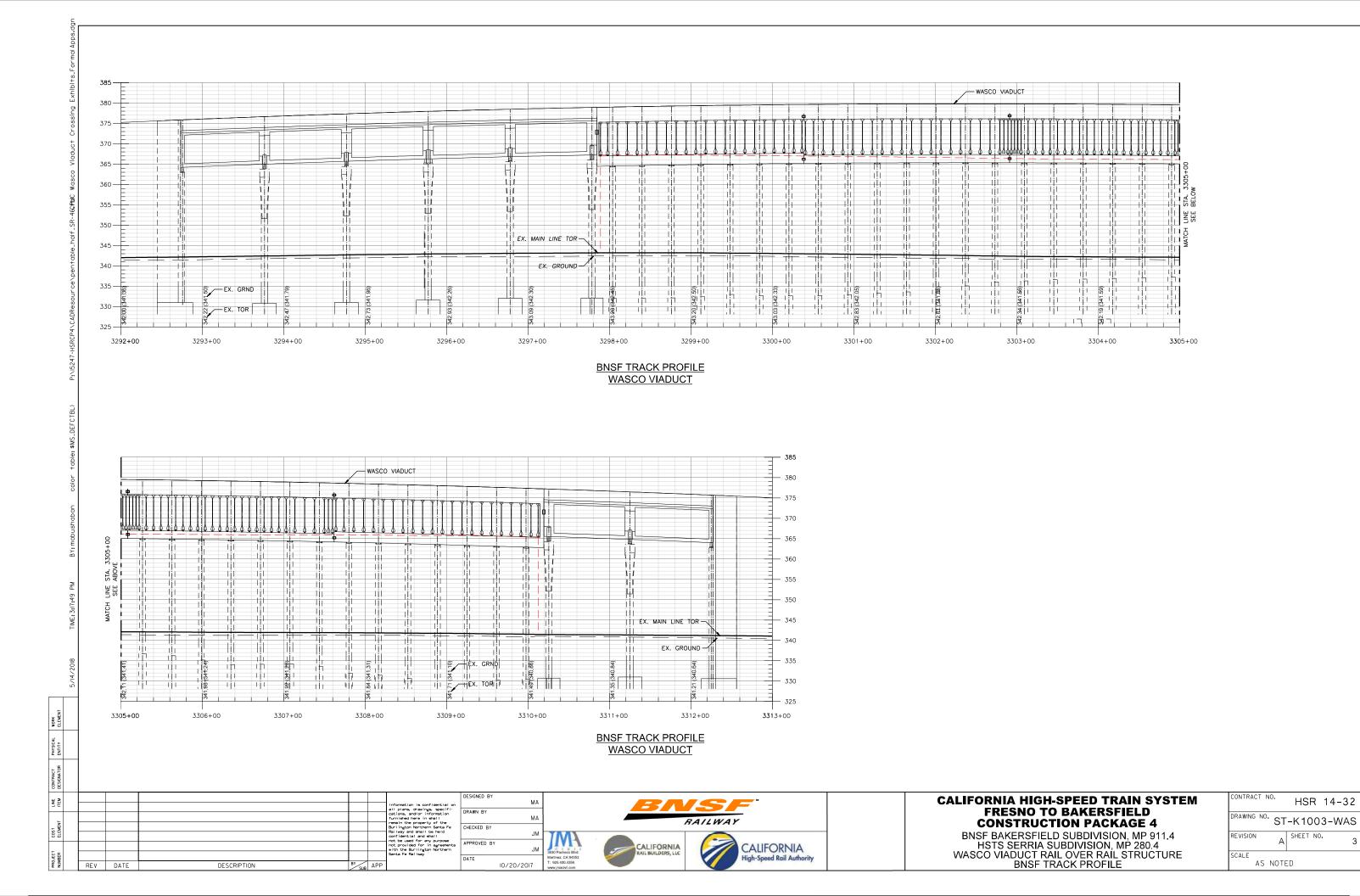


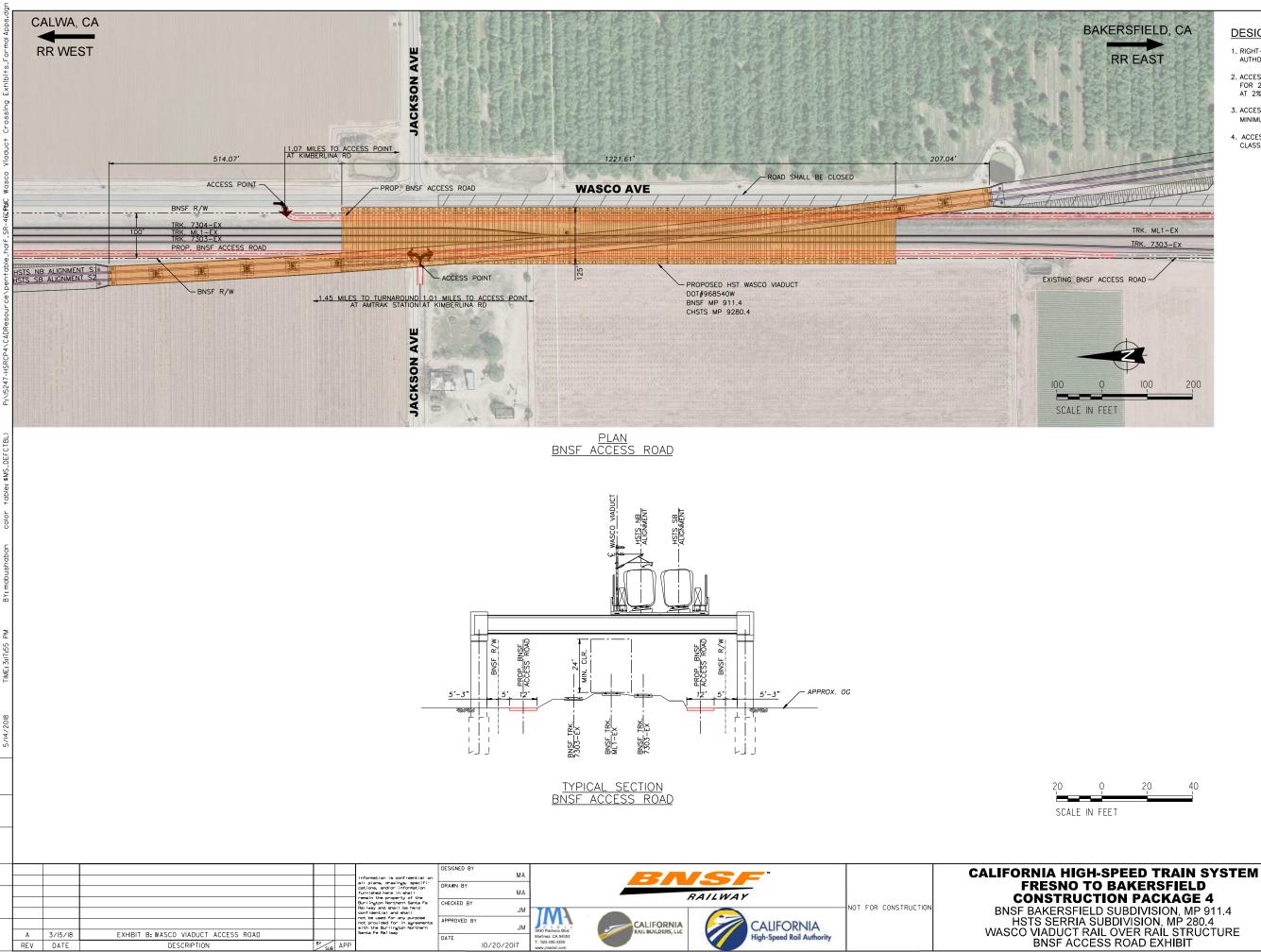
Exhibit C

Project Drawings









10/20/2017

High-Speed Rail Authority

EXHIBIT B: WASCO VIADUCT ACCESS ROAD

DESCRIPTION

3/15/18

REV DATE

DESIGN NOTES

- RIGHT-OF-WAY INFORMATION OBTAINED FROM THE AUTHORITY'S APPRAISAL MAPS.
- 2. ACCESSS ROAD SHALL BE ALL WEATHER SUITABLE FOR 20 MPH, AND SLOPED AWAY FROM THE TRACKS AT 2% MAX.
- 3. ACCESS ROAD SHALL BE 12' WIDE AND HAVE A MINIMUM THICKNESS OF 6".
- 4. ACCESS ROAD SHALL BE CONSTRUCTED USING CLASS II AGGREGATE BASE.

HSR 14-32

DRAWING NO. ST-K1004-WAS

AS NOTED

SCALE

SHEET NO.

Exhibit D

Letter of Support



Taylor Smith

Manager Public Projects

BNSF Railway Company

2454 Occidental Ave S, Ste. 2D Seattle, WA 98134 (206) 625-6396 (office) (206) 625-6356 (fax)

taylor.smith@bnsf.com

Monday July 30th, 2018

Mr. Oliver Garcia
Utilities Engineer
California Public Utilities Commission
Safety and Enforcement Division
Rail Crossings Engineering Branch
Los Angeles Office
320 West 4th Street, Suite 500
Los Angeles, CA 90013

Subject: CHSRA CP4 Wasco Viaduct, City of Wasco, Kern County, CA (135S-280.4-T)

Dear Mr. Garcia,

BNSF Railway (BNSF) is in support with the Wasco Viaduct and the construction High-Speed Train (HST) corridor. BNSF has reviewed the proposed designs and takes no exception to Wasco Viaduct formal application to the CPUC.

If you have any questions or concerns, please contact me at (206) 625-6396 or taylor.smith@bnsf.com

Sincerely,

Taylor Smith

Manager Public Projects BNSF Railway Company

CRAIG M. POPE, P.E., DIRECTOR

ADMINISTRATION & ENGINEERING BUILDING & DEVELOPMENT OPERATIONS



2700 "M" STREET, Suite 400 BAKERSFIELD, CA 93301-2370

December 13, 2018

Phone: (661) 862-8900 FAX: (661) 862-5103 Toll Free: (800) 552-5376 Option 5 TTY Relay: (800) 735-2929

Mr. Oliver Garcia
Utilities Engineer
California Public Utilities Commission
Safety and Enforcement Division
Rail Crossings Engineering Branch
Los Angeles Office
320 West 4th Street, Suite 500
Los Angeles, CA 90013

Subject: CHSRA CP4 Wasco Viaduct, City of Wasco, Kern County, CA (135S-280.4-T)

Dear Mr. Garcia,

Kern County (County) is in support of the Wasco Viaduct as associated with the construction of the High-Speed Train (HST) corridor. The County has reviewed the proposed designs and takes no exception to the Wasco Viaduct formal application to the CPUC.

If you have any questions or concerns, please contact me at (661) 862-8850.

Sincerely,

Craig M. Pope,

Director of Public Works

Exhibit E

Scoping Memo Information for Applications

A. (A. Category (Check the category that is most appropriate)			
Con that reas	Adjudicatory - "Adjudicatory" propossible violations of any provision mmission; and (2) complaints against challenge the accuracy of a bill, busonableness of rates or charges, passing complaints (maximum 12-m	n of statutory last st regulated e at excluding th ast, present, o	law or order or rule of the entities, including those comnose complaints that challer or future, such as formal ro	nplaints
esta utilit reas also as r	Ratesetting - "Ratesetting" procession sets or investigates rates ablishes a mechanism that in turn solities). "Ratesetting" proceedings incompations of rates or charges, page be categorized as ratesetting when railroad crossing applications (majured).	for a specifica ets the rates followed clude complainast, present, on they do not	ally named utility (or utilities for a specifically named utilints that challenge the or future. Other proceeding clearly fit into one category	s may /, such
of re	Quasi-legislative - "Quasi-legis ablish policy or rules (including gene regulated entities, including those pr es or practices for an entire regulate	eric ratemakin oceedings in v	ng policy or rules) affecting which the Commission inve	a class estigates
В.,	Are hearings necessary?	☐ Yes	X No	

If yes, identify the material disputed factual issues on which hearings should be held, and the general nature of the evidence to be introduced. Railroad crossing applications which are not controversial usually do not require hearings.

Are public witness hearings necessary?		
☐ Yes	X No	

Public witness hearings are set up for the purpose of getting input from the general public and any entity that will not be a party to the proceeding. Such input usually involves presenting written or oral statements to the presiding officer, not sworn testimony. Public witness statements are not subject to cross-examination.

C. Issues - List here the specific issues that need to be addressed in the proceeding.

All issues have been worked out before the filing of this application. No objections or issues need to be worked out that the applicant is aware of

D. Schedule (Even if you checked "No" in B above) Should the Commission decide to hold hearings, indicate here the proposed schedule for completing the proceeding within 12 months (if categorized as adjudicatory) or 18 months (if categorized as ratesetting or quasi-legislative).

The schedule should include proposed dates for the following events as needed:

April 23, 2018 months Prehearing conference

May 23, 2018 months Hearings

July 23, 2018 months Briefs due

August 23, 2018 months Submission

November 23, 2018 months Proposed decision (90 days after submission)

January 23, 2018 months Final decision (60 days after proposed decision is mailed)

Exhibit F

Notice of Determination

Notice of Determination

Appendix D

To: Office of Planning and Resear U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044 County Clerk County of: Address:	Street Address: 1400 Tenth St., Rm 113 Sacramento, CA 95814	Address: 770 L Sacramento, C Contact: Mark M Phone: (916) 40 Lead Agency (McLoughlin 03-6934 (if different from above):
		Contact:	
Resources Code.			tion 21108 or 21152 of the Public
State Clearinghouse Number (if	submitted to State Cleari	nghouse):2/1009	091126
Project Title: California High-Spee			
Project Applicant: California High	-Speed Rail Authority))
Project Location (include county		Kern counties	
Project Description: Please see attached description			
	Lead Agency or ☐ Re	esponsible Age	
described project on May 7, 2014 (date described project.	and has made the	ne following dete	erminations regarding the above
• •			
 The project [☒ will ☐ will not as a possible of the project [☒ will ☐ will not as a possible of the project in t	Report was prepared for the project of the project	this project purset the pursuant to the ndition of the ap as not] adopted was not] adopted	suant to the provisions of CEQA. The provisions of CEQ
This is to certify that the final Elinegative Declaration, is available Please see attached Signature (Public Agency):	R with comments and res		eord of project approval, or the
Authority cited: Sections 21083, Reference Section 21000-2117	Public Resources Code.	eived for filing a	MAY 0 8 2014 Revised 2011
	,		STATE CLEARING HOUSE

NOTICE OF DETERMINATION (Attachment 1)

Project Title

California High-Speed Train (HST) Project Fresno to Bakersfield Section

Project Description and Location

The Fresno to Bakersfield Section HST project analyzed in the Fresno to Bakersfield Section Final EIR/EIS consists of construction and operation of a dedicated, electrified, and fully grade-separated high speed train system approximately 114 miles long between downtown Fresno and downtown Bakersfield with stations at Mariposa Street in Fresno, at Truxtun Avenue in Bakersfield, and a Kings/Tulare Regional Station with an option either west or east of Hanford.

Through Resolution # HSRA 14-10, the Authority has approved the portion of the Preferred Alternative from the southern boundary of the already-approved Fresno Mariposa Street HST station ito approximately Seventh Standard Road in Kern County, as shown on the attached map. The approved Preferred Alternative consists of portions of the BNSF Alternative in combination with the Corcoran Bypass and Allensworth Bypass. This alignment generally follows the existing Union Pacific Railroad (UPRR) alignment through Fresno, curving south to follow the BNSF Railway alignment south of the city of Fresno. The alignment generally follows the BNSF to Seventh Standard Road except where it bypasses the city of Hanford to the east, the city of Corcoran to the east, and the Colonel Allensworth State Historic Park to the west. The approved Preferred Alternative includes the Kings/Tulare Regional Station-East on the east side of Hanford near the interchange of State Route 198 and State Route 43.

Location of Final EIR/EIS and Record of Project Approval

The Final EIR/EIS with comments and responses and record of project approval are available at:

California High-Speed Rail Authority Office 770 L Street, Suite 800 Sacramento, CA 95814 (916) 324-1541

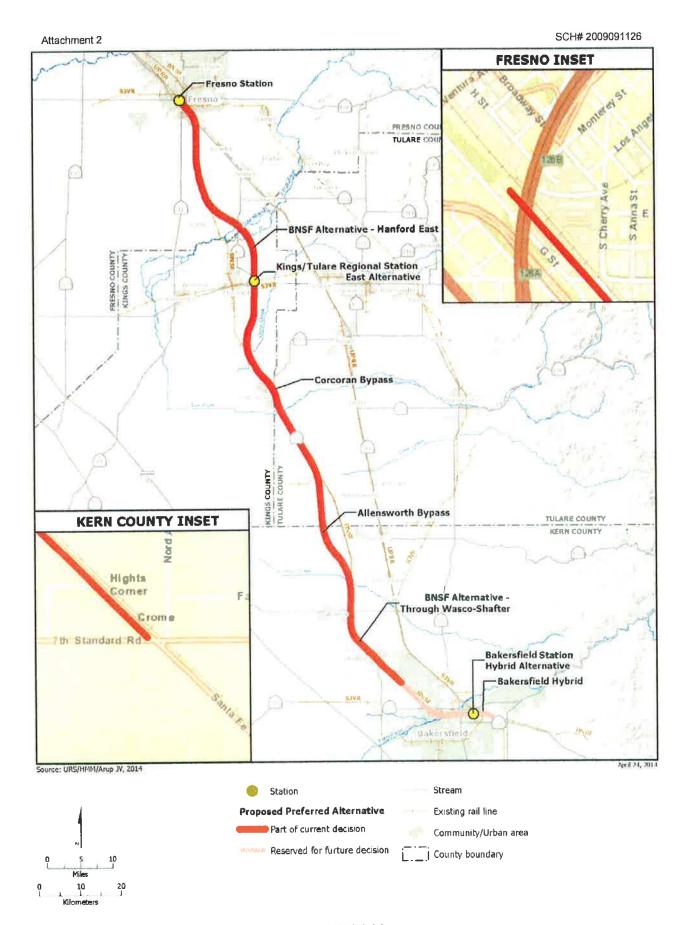
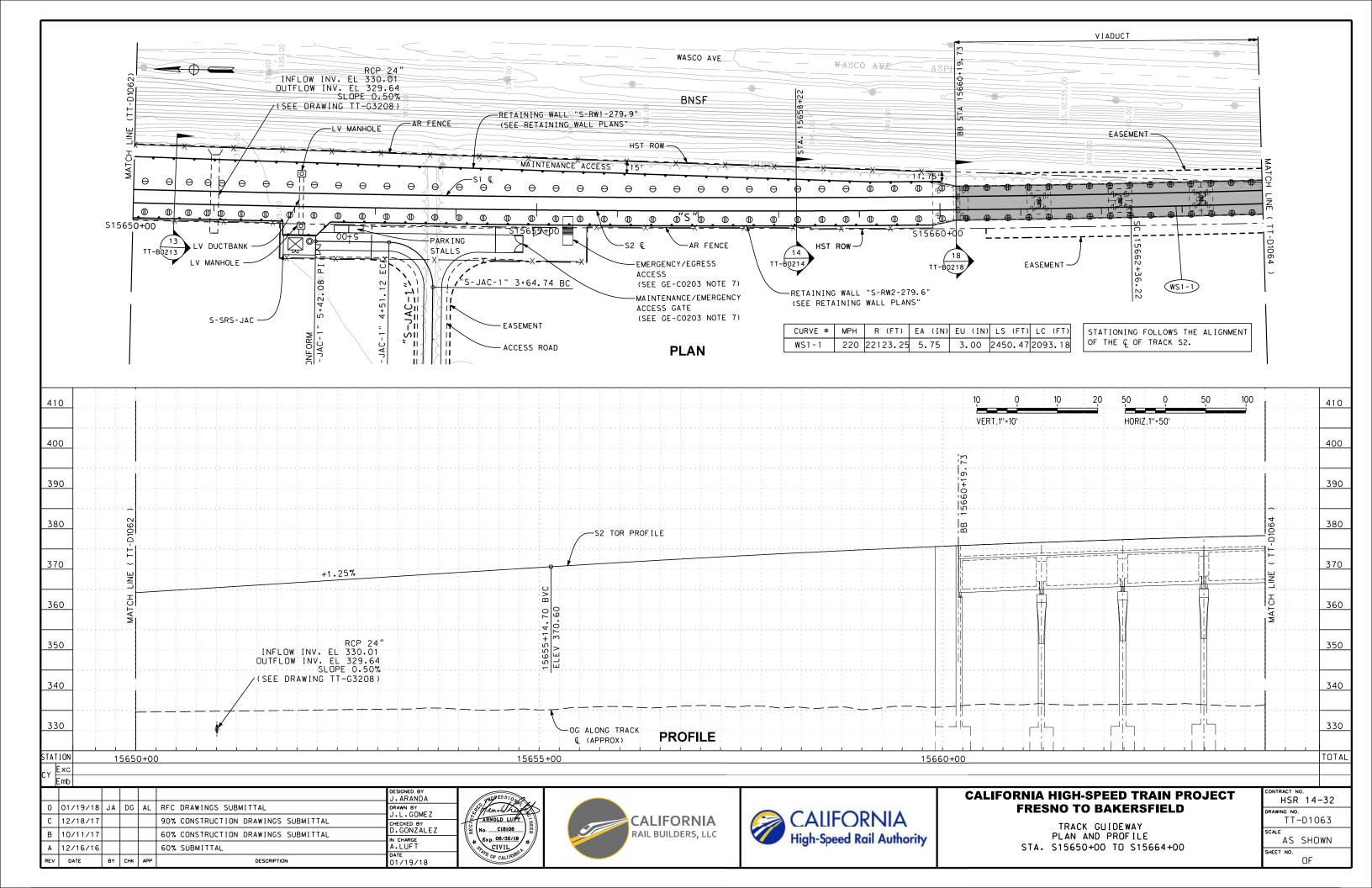
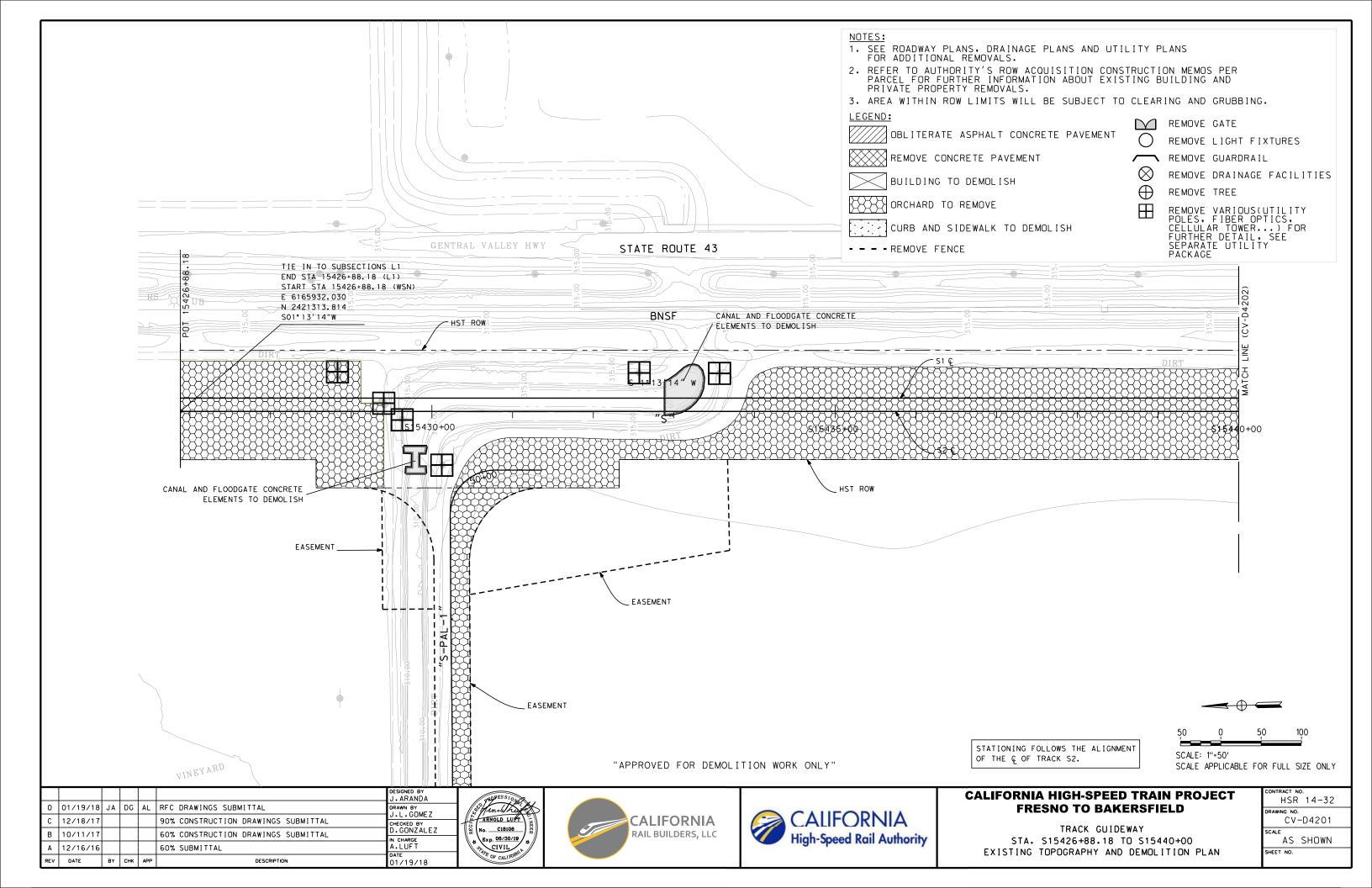


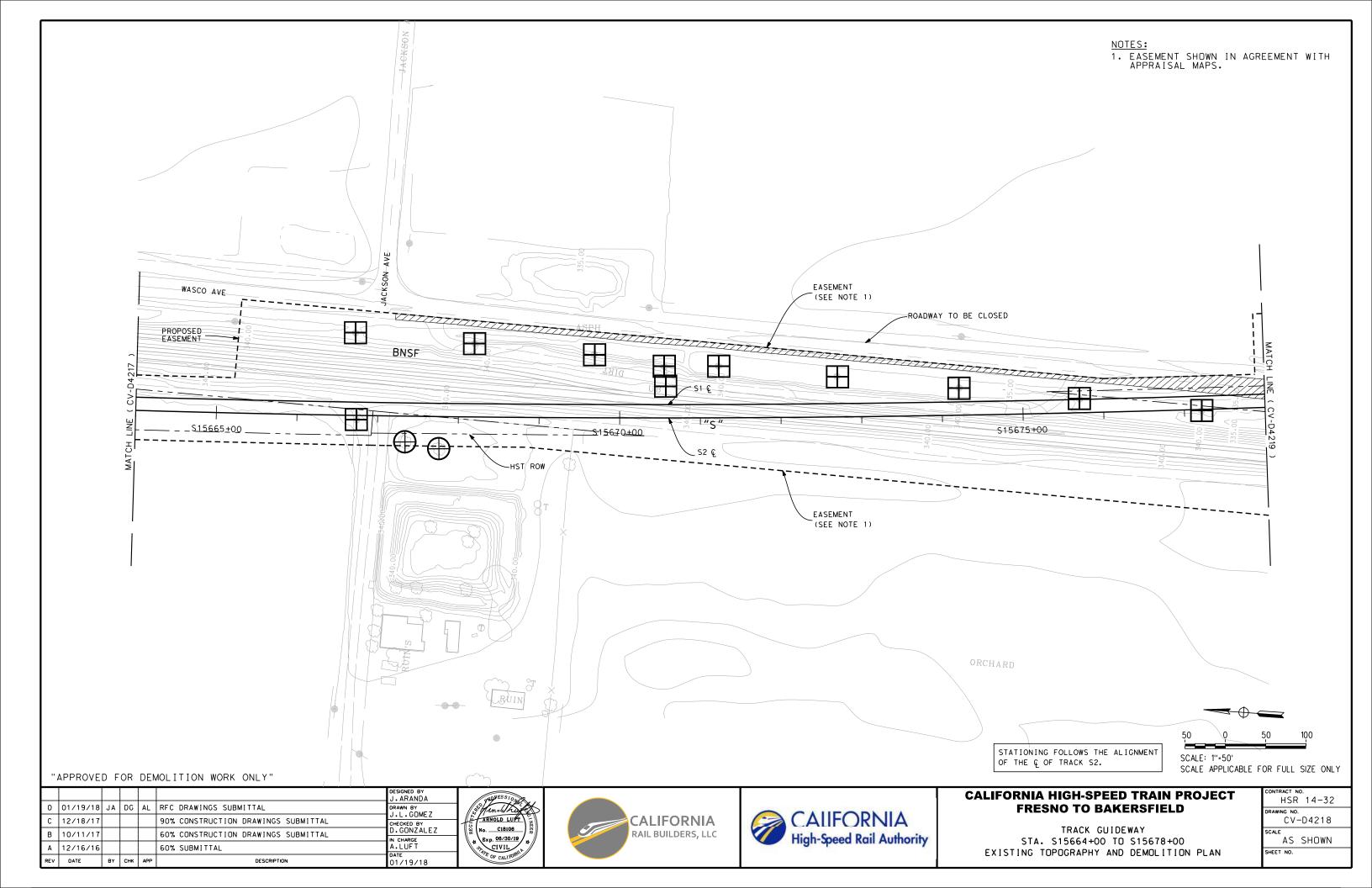
EXHIBIT AA

Exhibit G

Fencing and Demolition Plan







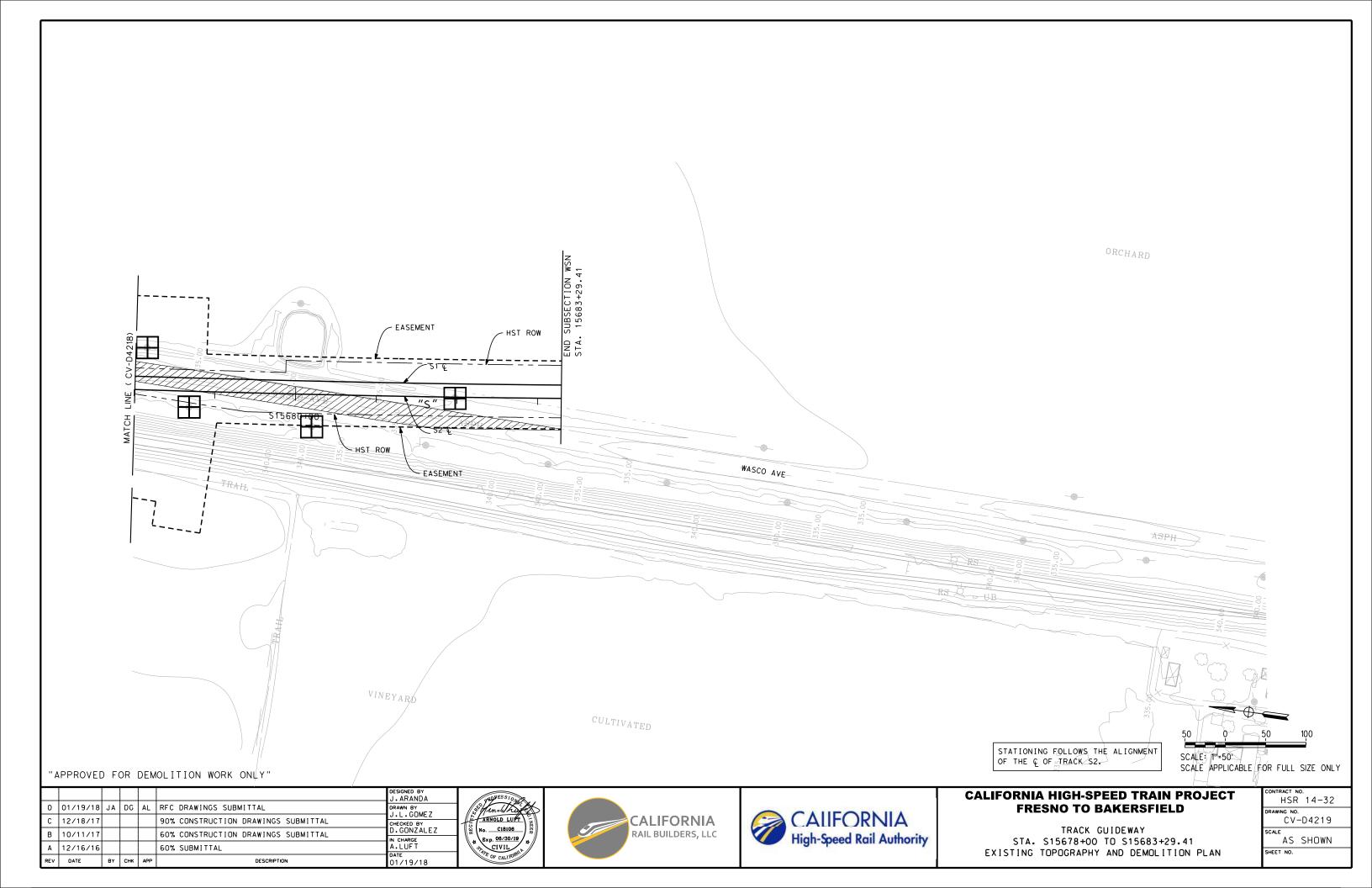


Exhibit H

Private Owner Access Road Exhibit

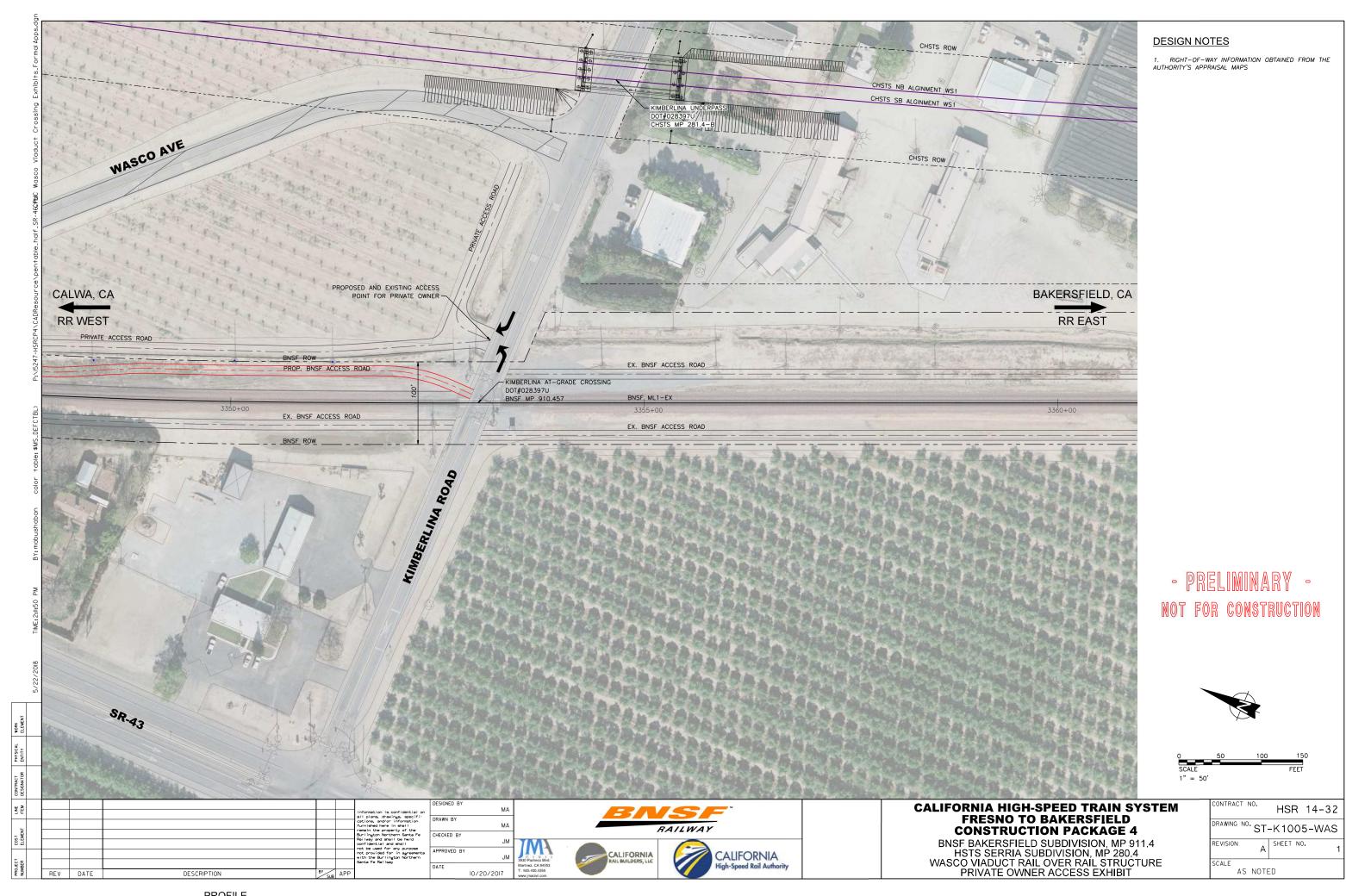


Exhibit I

Certificate of Service

OF THE STATE OF CALIFORNIA

Application of the California High-Speed Rail Authority to construct proposed high-speed tracks (HST) and rail-rail grade separation (135S-280.4-T) over BNSF's existing main line track (MP 911.5) at Wasco Ave in Kern County, California.

Application No.	

CERTIFICATE OF SERVICE

I, Mohammed Abushaban, of JMA Civil, on behalf of the California High-Speed Rail Authority, certify that I have this day mailed a copy of the attached Application, Exhibits, and Notice of Availability in the above captioned proceeding by FedEx, or if noted, by email or hand delivery, to each party named in the following service list, on this <u>22nd</u> day of August , 2019 at Martinez, California.

By: Mohammed abushalan

Mohammed Abushaban, PE Civil Engineer

Service List	
Parties:	
Bruce Armistead Director of Operations and Maintenance California High-Speed Rail Authority 770 L Street Sacramento, CA 95814 Bruce.Armistead@hsr.ca.gov E-mail Only	Benjamin Camarena Design Construction Manager California High-Speed Rail Authority 1401 Fulton, Suite 200 Fresno, CA 93720 benjamin.camarena@hsr.ca.gov E-mail Only
James Labanowski Railroad/Utility Manager California High-Speed Rail Authority 770 L Street Sacramento, CA 95814 james.labanowski@hsr.ca.gov E-mail Only	Kendall Bonebrake Attorney III California High-Speed Rail Authority 770 L Street Sacramento, CA 95814 Kendall.bonebrake@hsr.ca.gov E-mail Only

Information Only:		
Craig Pope, PE	Warren Maxwell, PE	
Director	Engineering Manager	
Kern County Public Works	Kern County Public Works	
Department	Department	
2700 M Street, Suite 450	2700 M Street, Suite 450	
Bakersfield, CA 93301	Bakersfield, CA 93301	
cpope@kerncounty.com	maxwellw@co.kern.ca.us	
E-mail Only	E-mail Only	
Antonio Canete	Ignacio Herraez	
Project Director	Segment Manager	
California Rail Builders	California Rail Builders	
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acanete@ferrovail.us	j.ignacioherraez@ferrovial.com	
E-mail Only	E-mail Only	
Borja Solano	Craig Carney	
Alignment and Roadway	Project Engineer, CP-4	
California Rail Builders	California High-Speed Rail Authority	
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Jon Marshall	Mohammed Abushaban	
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State:		
Matthew Bond, PE	Matt Cervantes, PE	
Senior Engineer	Utilities Engineer	
California Public Utilities	California Public Utilities Commission	
Commission	320 W 4th Street, Suite 500	
320 W 4th Street, Suite 500	Los Angeles, CA 90013	
Los Angeles, CA 90013	matthew.cervantes@cpuc.ca.gov	
matthew.bond@cpuc.ca.gov	E-mail Only	
E-mail Only	·	